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PART II - MISCELLANEOUS NOTIFICATIONS OF INTEREST TO THE PUBLIC

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NOTIFICATIONS BY HEADS OF DEPARTMENTS Etc.,

**CHIEF EXECUTIVE OFFICER,
A. P. STATE WAQF BOARD**

4th FLOOR, IMDADAGHAR, OPP: KALESWARAO MARKET, VIJAYAWADA.

F.No.02 / M / NLR / 2017 / Z-IV / Supply.

Date: 17-02-2023.

SPSR NELLORE DISTRICT - A.S.PETA (V & M) MANDAL - DARGAH OF SYED SHAH HAJI KHWAJA RAHMATULLAH SAHE (NAYAB-E-RASOOL), AND MASJID - ADVERSE NEWS PUBLISHED IN ELECTRONIC MEDIA AND PRINT MEDIA AGAINST Sri SGN HAFEEZ PASHA , SAJJADANASHEEN CUM MUTAWALLI OF DARGAH AND ALSO SEVERAL COMPLAINTS ARE RECEIVED AGAINST THE MUTAWALLI - FIR No.50 OF 2023 REGISTERED UNDER SECTIONS 419, 420, 354A OF IPC BY SHO, LUNGER HOUSE POLICE STATION, HYDERABAD, TELANGANA STATE - Sri SGN HAFEEZ PASHA, SAJJADANASHEEN CUM MUTAWALLI KEPT UNDER SUSPENSION U/Sec.64(5) OF WAQF ACT, 1995 - ENQUIRY U/SEC.64(3) OF WAQF ACT,1995 - Sri L.ABDUL KHADIR, CHIEF EXECUTIVE OFFICER, APPOINTED AS ENQUIRY OFFICER.

- Read : 1. Board's Proceedings No.02/M/NLR/2017/Z-IV/Supple , dt:08-02-2019.
 2. Report of Inspector Auditor Waqfs, SPSR Nellore District vide Lr.No.IAW/71/NLR/ 2012, dated:14-02-2023 along with connected material.
 3. Compliant petition of Sri Mohammed Shakeel Ahamed, Dargah Street, A.S.Peta, Nellore District, dated:14-02-2023.
 4. Compliant petition of Sri Mohammed Masood Basha, Mahal Street, A.S.Peta, Nellore District, dated:14-02-2023.
 5. Compliant petition of Sri.Shabbir Basha Shaik, A.S.Peta, SPSR Nellore District, dated:15-02-2023 along with paper clippings.
 6. Board's Resolution No. 704 of 2023, dated:16-02-2023.
 7. Orders of the Hon'ble Chairperson, APSWB, dated:16-02-2023.

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ORDER:

The Waqf institution namely Sunni Mosque and Dargah of Syed Shah Haji Khwaja Rahmatullah Saheb Peer (Nayab –e- Rasool) and its attached properties Ac.26.24 cents situated at A.S. Peta Village and Mandal of SPSR Nellore District, is a notified Waqf property and got published in A.P.Gazette No.18-A, Part-II, dated: 02-05-1963 at Serial No.09.

The Board has recognized Sri. S.G.N Hafeez Pasha, as Mutawalli of the Dargah Hzt. Khawaja Rahmathullah Nayab-e-Rasool, Rahmathabad Shareef in the light of I.A.No.661/2016 in O.S.No.50 of 1913, Dt:06-01-2017 by the Senior Civil Court, Nellore for managing the affairs of the subject Waqf Institution by following Waqf Act,1995 and Waqf Rules, accordingly Proceedings issued dated:08-02-2019 vide ref. 1st read above.

The I.A. Waqfs, SPSR Nellore District has submitted his report, dated: 14-02-2023 vide ref.2nd cited along with paper clippings stating that an adverse News published in daily District Edition of Andhra Jyothi, Eenadu Dated:12-02-2023, 13-02-2023, 14-02-2023 and electronic media covered in news Channels against Mutawalli of Sri.SGN Hafeez Pasha, with a title to “ Dargah Pithaadipathi Arrest ”, “ Mahila Sanghaala andholana ”, “ Khaja Nayab Rasool Dargah vadda udriktha ”, “ Nannu Pelli Chesuko... Deyyam Vadilinchu ... Chaavu Nunchi Tappistha ”, “ Donga Baba.. Kotla ku Padagalu ”.

The I.A Waqfs, SPSR Nellore further reported that there is tension prevailed at the vicinity of Dargah and agitations by the Mahila Sanghaalu on 13-02-2023 with a slogan for removal of Sri Shagulam Nakshaband Hafeez Pasha, from Muthawalliship of Dargah and the women groups (Mahila Sangalu) submitted their representation to the Police Authorities to arrest him immediately.

Further, the I.A Waqfs also received a copy of complaint Petition dated: 11-02-2023, which was addressed to SHO Langer House Police Station, Hyderabad City, Telangana State filed by one Tabassum Fathima against the same Mutawalli Sri SGN Hafeez Pasha regarding black magic and harassing to her from last (3) years and wants to marry her, when she agreed to marry and fixed the date on 11-02-2023 but, he is missing on the said date and thereby she requested to take action as per Law and the same is forwarded by I.A Waqfs, SPSR Nellore District to this office and requested to take action accordingly.

The gist of the paper clippings are that the Mutawalli of Sri.SGN Hafeez Pasha of Dargah at A.S.Peta is harassing the women devotees who are attending to Dargah to solve their problems with prayers and because of the ill treatment by the Mutawalli towards the women devotees, the sanctity of Dargah is badly damaged and also hearting the sentiments & faith of devotees and thereby finally requested to take action against Sri SGN Hafeez Pasha Mutawalli / Sajjadanashen of the subject Dargah & Masjid.

The similar complaints were received vide ref.3rd to 5th read above, with a request to take action against Sri SGN Hafeez Pasha Mutawalli / Sajjadanashen of the subject Dargah & Masjid.

That the above said subject matter placed before the Board, in its extraordinary meeting, discussed the Complaints against Mutawalli, report of the I.A. Waqfs, and Case registered vide FIR No.50/2023, dated: 12-02-2023 by SHO Langer House, Hyderabad, TS State U/sec. 419,420,354A of IPC and examined the records available and noticed the following incidents and irregularities.

1. On complaint of Miss Tabassum Fathima, D/o M A Zaheer, R/o. Siddiq Dawasaaj, MD lines, Tolichowki, Hyderabad District, Telangana State, dated:12-02-2023 before the SHO, Langer House Police Station, Hyderabad stating that due to ill health she along with her family approached Sri SGN Hafeez Pasha for treatment. Subsequently he has visited their home at Hyderabad and physically harassed.

Accordingly, a Case is registered in FIR No.50 of 2023, dated:12-02-2023 U/sec.419, 420, 354A of IPC against Sri SGN Hafeez Pasha, Mutawalli of Dargah / Masjid, A.S.Peta, SPSR Nellore District has been Issued.

2. Several adverse news items were published against Sri SGN Hafeez Pasha, Mutawalli of Dargah at A.S.Peta that black magic and harassing the women devotees who attend their ill-elements and mentioned the examples of cases that he has collected amount from woman of Chennai and also harassed to her in the name of marry for the year 2012. Further several cases pending against Sri.SGN Hafeez Pasha, Mutawalli and dominating with their followers against who obstruct to him to obey their instructions.

3. Several complaints received as details mentioned in the agenda that to take action against Sri.SGN Hafeez Pasha, Mutawalli of Sunni Mosque and Dargah of Syed Shah Haji Khwaja Rahmatullah Saheb (Nayab -e- Rasool) at A.S.Peta (V&M) and also tensions prevailed at vicinity of Dargah and agitations by Mahila Sangalu on 13-02-2023 for removal of Sri SGN Hafeez Pasha Mutawalli of Dargah.
4. Due to adverse news, complaints, FIR and agitations against Sri SGN Hafeez Pasha Mutawalli of Sunni Mosque and Dargah of Syed Shah Haji Khwaja Rahmatullah Saheb (Nayab -e- Rasool) at A.S.Peta (V &M) the sanctity of Dargah is badly damaged and also causing damage faith of devotees.
5. Sri SGN Hafeez Pasha has filed eleven (11) Cases i.e. WP.No.27991/2017, WP.No.22768/2017, WP.No.17935/2021, WP.No.33543/2022, WP.No.1187/2020, W.P.No.20578/2020, WP.No.18983/2022, WP.No.20296/2021, WP.No.33538/2022, WP.No.31823/2022 and WP.No.33536/2022 against AP State.Waqf Board and also other departments without prior permission of AP State Waqf Board, even though specific clause mentioned as (j) in his Proceedings No.02/M/NLR/2017/Z-IV/Supply, dated:08-02-2019 and (12) Cases were filed against the Mutawalli by various persons.
6. On perusal of Audit Reports for 2018-2019, 2019-2020 & 2020-2021 the Mutawalli withdrawn interest amount of total Rs.79,91,115.53/- (Rs.34,61,922 + 22,52,598 + 22,76,595.53) from Bank on the VCC bonds without prior permission of the AP State Waqf Board, inspite of specific directions issued in Office order F.No.15/DCB/Rahmathabad/NLR/2016, dated:20-06-2017 at Point No.2 that the FDR's which are kept Corpus fund shall not be withdrawn. The interest accrued on the FDR's shall be withdrawn only to full fill the objects and for payment of dues to the AP State Waqf Board with the permission of AP State Waqf Board.
7. The AP State Waqf Board accorded permission in favour of Sri.SGN Hafeez Pasha, for withdrawing of the estimated cost of Rs.2.00 Crores from the FDR amounts worth of Rs.6,06,90,207/- Crores fixed in the name of institution for the construction of G+2 Mosque in the premises of subject Dargah vide Board's Proceeding F.No.02/NLR/Permission/2017, dated:13-04-2018 duly mentioned the six (6) conditions. But, Sri.SGN Hafeez Pasha has failed to comply condition No.6 that to submit the original bills / vouchers of the expenditure so incurred for the construction duly Audited by the Chartered Accountant and attested by the Inspector Auditor Waqfs, SPSR Nellore District cum executive officer of subject Dargah to AP State Waqf Board for further necessary action, and the same is reflecting from enquiry report dated:16-09-2020 submitted by Deputy Secretary and Asst. Secretary of AP State Waqf Board.
8. Further Sri.SGN Hafeez Pasha, Mutawalli failed to complete the proposed construction work within the stipulated period i.e. (1) year from the date of issue of orders.
9. The Mutawalli has failed to comply the instructions of the Board to intimate the opening of Hundies from time to time to attend the Waqf officials due to which Show Cause notice dated:01-09-2017 U/sec.61 of Waqf Act,1995 issued in File

No.15/DCB/Rahmathabad/NLR/2016 and Board's Memo dated:11-09-2019 and office order dated:29-03-2022 were issued in file bearing No.02/M/NLR/2017/Z-IV/Supply in the light of directions issued by the Hon'ble High dated:17-07-2017 in WPMP No.28963 of 2017 in WP.No.22768/2017.

10. The Mutawalli failed to submit the Panchanama and Videography to this Office since taken charge on 11-01-2017 regarding opening of Hundies.

In view of the above lapses, violations and in consequent to the FIR against Mutawalli and considering as moral turpitude committed by person holding high religious seat, the Board resolved vide resolution No.704/2023, dated:16-02-2023 to suspend the Mutawalli of Sri.SGN Hafeez Pasha for a period of (10) days U/sec.64(5) of Waqf Act,1995 appointing CEO as Enquiry Officer to conduct enquiry and submit his findings before the Board.

Further resolved during the suspension period, E.O shall be appointed to manage the day to day affairs of the Dargah, Masjid and its attached properties taking the charge of the subject institution under direct management of AP State Waqf Board U/sec.65 of the Waqf Act,1995 and subsequent rules therein.

In the ref.7th read above, the subject matter was placed before the Hon'ble Chairperson who after careful examine and passed orders for implementation of the Board's Resolution No. 704 of 2023, dated:16-02-2023, and to issue orders accordingly.

Accordingly, Dargah of Syed Shah Haji Khwaja Rahmatullah Sahe (Nayab - e - Rasool), Masjid and its attached properties taken under the direct management of the AP State Waqf Board by placing the Mutawalli Sri SGN Hafeez Pasha under suspension for a period of (10) days with immediate effect Under Section 64(5) of the Waqf Act,1995 and Sri L.Abdul Khadir, Chief Executive Officer, A.P. State Waqf Board, Vijayawada is hereby appointed as enquiry officer to conduct enquiry on the above mentioned irregularities and various allegations.

Sri.Shaik Mohammed Hussain, Superintendent, APSWB is hereby appointed as Executive Officer to take charge of the Dargah of Syed Shah Haji Khwaja Rahmatullah Sahe (Nayab - e - Rasool), Masjid and its attached properties under direct management of AP State Waqf Board, Vijayawada until further orders.

L. ABDUL KHADIR,
Chief Executive Officer,
A.P. State Waqf Board, Vijayawada.

To
Sri SGN Hafeez Pasha,
Mutawalli (Under Suspension)
Dargah of Syed Shah Haji Khwaja Rahmatullah Saheb Peer
@ Nayab -e- Rasool and Masjid, A.S.Peta (V&M), SPSR Nellore District.
(Through I.A Waqfs, SPSR Nellore District).